

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Case No.: 2:21-cr-00230-APG-VCF

Plaintiff

**Order Accepting Report and
Recommendation and Denying Motions to
Suppress**

v.

MARCUS MATTINGLY,

[ECF Nos. 30, 34, 52]

Defendant

On February 18, 2022, Magistrate Judge Ferenbach recommended that I deny defendant Marcus Mattingly's two motions to suppress. ECF No. 52. Mattingly did not object. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

I THEREFORE ORDER that Magistrate Judge Ferenbach's report and recommendation (ECF No. 52) is **accepted** and defendant Marcus Mattingly's motions to suppress (ECF Nos. 30, 34) are **DENIED**.

DATED this 21st day of April, 2022.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE